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15 UNITED STATES BANKRUPTCY COURT

16 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

17 In re  
18 THE ROMAN CATHOLIC ARCHBISHOP  
19 OF SAN FRANCISCO,

20 Debtor and  
21 Debtor in Possession.

Case No. 23-30564

Chapter 11

**STATEMENT OF COMPLIANCE WITH  
NOTICING PROVISIONS OF ORDER: (1)  
FIXING TIME FOR FILING PROOFS OF  
CLAIM; (2) APPROVING PROOF OF  
CLAIM FORMS; (3) PROVIDING  
CONFIDENTIAL PROTOCOLS; AND (4)  
APPROVING FORM AND MANNER OF  
NOTICE**

[Related to ECF No. 337; Supporting  
Declarations Filed Concurrently Herewith]

25 The Roman Catholic Archbishop of San Francisco, the debtor and debtor in possession  
26 herein (the “Debtor” or “RCASF”) files this statement and summary (the “Statement”) of steps taken  
27 to comply with the Court’s *Order: (1) Fixing Time for Filing Proofs of Claim; (2) Approving Proof*  
28

1 of Claim Forms; (3) Providing Confidential Protocols; and (4) Approving Form and Manner of  
2 Notice [ECF No. 337] (the “Bar Date Order”), that the Debtor has, as further described below,  
3 complied with the noticing and publication steps set forth in the Bar Date Order, and also has taken  
4 additional supplemental noticing steps. This Statement is supported by the accompanying  
5 Declarations of Peter Marlow (the “Marlow Declaration”), Peter Egloff (the “Egloff Declaration”),  
6 Jeannie Kim (the “Kim Declaration”), and Rocio Rodriguez (the “Rodriguez Declaration”) and  
7 combined supporting exhibits (collectively, the “Exhibits”). This Statement also is supported by  
8 affidavits with further detail concerning the newspaper publications, which are attached as Exhibits  
9 to the Marlow and Egloff Declarations filed concurrently with this Statement.

10 1. Promptly following entry of the Bar Date Order, the Debtor caused the filing of  
11 the Survivor Claim Bar Date Notice (in substantially the form attached as Exhibit E to the Bar  
12 Date Order and as filed with the Court at ECF No. 349) and Confidential Survivor Proof of  
13 Claim<sup>1</sup> (in substantially the form attached as Exhibit B to the Bar Date Order and as filed with  
14 the Court at ECF No. 349) on November 29, 2023. Accordingly, the Confidential Proof of Claim  
15 Package was served on all registered ECF participants in this bankruptcy case on the same date.  
16 See ECF Nos. 349 and 351.

17 2. Promptly following entry of the Bar Date Order, the Debtor caused the filing of  
18 the General Bar Date Notice (in substantially the form attached as Exhibit D to the Bar Date  
19 Order and as filed with the Court at ECF No. 350) and Proof of Claim (in substantially the form  
20 attached as Exhibit A to the Bar Date Order and as filed with the Court at ECF No. 350) on  
21 November 29, 2023. Accordingly, the General Bar Date Notice and Proof of Claim were served  
22 on all registered ECF participants in this bankruptcy case on the same date. See ECF Nos. 350  
23 and 351.

24 3. Promptly following entry of the Bar Date Order the Debtor’s noticing and claims  
25 agent Omni prominently posted on the Omni’s website for the Debtor (the “Omni Site”) the Survivor  
26

27 <sup>1</sup> Together, the Survivor Claim Bar Date Notice and the Confidential Survivor Proof of Claim may  
28 be referenced in this declaration as the “Confidential Proof of Claim Package.”

1 Claims Bar Date Notice, the Confidential Survivor Proof of Claim Form, and the General Proof of  
2 Claim Form (final dated versions of the forms approved in the Bar Date Order, Exhibits E, and B,  
3 respectively) and enabled the Omni Site to accept electronically filed claims. Specifically, Omni  
4 (a) listed the Bar Date as a “Critical Date” within the “Critical Dates” tile on the Omni Site; (b)  
5 enabled the website to accept filing of General Proofs of Claim and Confidential Survivor Proofs of  
6 Claim; (c) created a separate “Claims” tile on the Omni Site with links to (i) the claims portals  
7 (separate portals for General Proofs of Claim and Confidential Survivor Proofs of Claim), (ii) the  
8 proofs of claim docket, and (iii) withdrawals of claims; and (d) generated links for creditors to (i)  
9 file General and Confidential Survivor Proofs of Claim; (ii) access the proofs of claim docket; (iii)  
10 file a change of address; and (iv) withdraw claims under the “Claims” tab on the dashboard, located  
11 at the top of the Omni Site. *See Kim Decl.*, ¶ 3.

12 4. Bar Date Order ¶ 12. On December 6, 2023, which was within ten (10) business  
13 days of the entry of the Bar Date Order, the Debtor caused Omni to serve by United States mail,  
14 first-class postage prepaid upon: (a) all known entities holding potential prepetition claims against  
15 the Debtor, and their counsel (if known); (b) all parties that have requested special notice in this  
16 case; and (c) the United States Trustee, the following documents: (i) General Bar Date Notice  
17 substantially in the form attached as Exhibit D to the Bar Date Order; and (ii) a copy of the Proof of  
18 Claim Form substantially in the form attached as Exhibit A to the Bar Date Order. *See Certificate*  
19 *of Service* filed at ECF No. 463 (redacted publicly filed version).

20 5. Bar Date Order ¶ 13. On December 6, 2023, which was within ten (10) business  
21 days of the entry of the Bar Date Order, the Debtor caused Omni to serve by United States mail,  
22 first-class postage prepaid: (i) the Survivor Claim Bar Date Notice substantially in the form attached  
23 as Exhibit E to the Bar Date Order, and (ii) a copy of the Confidential Survivor Proof of Claim upon  
24 all known Survivor Claimants and their counsel (if known)<sup>2</sup> substantially in the form attached as  
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26 <sup>2</sup> If a Survivor Claimant’s counsel appeared in the bankruptcy case on behalf of a Survivor claimant  
27 or provided written consent to Debtor’s counsel, as authorized by the Bar Date Order and as directed  
28 by Committee Counsel, the Debtor served only the Survivor Claimant’s counsel with the Survival  
Claim Bar Date Notice. *See Kim Decl.*, ¶¶ 6 and 7.

1 Exhibit B to the Bar Date Order. *See* Certificate of Service filed at ECF No. ECF No. 465 (redacted  
2 publicly filed version).

3 6. Bar Date Order ¶ 14. Promptly following entry of the Bar Date Order, the Debtor  
4 prominently posted on the main page of its own website (1) the Publication Notice, together with a  
5 link to Omni’s landing page for the Debtor’s bankruptcy case, which maintained links to the  
6 Survivor Claims Bar Date Notice, (2) the Confidential Survivor Proof of Claim Form, (3) the  
7 General Bar Date Notice, and (4) the General Proof of Claim Form (final dated versions of the forms  
8 approved in the Bar Date Order, Exhibits E, B, D and A respectively). Further, the Debtor requested  
9 that the Survivors Network of those Abused by Priests (“SNAP”) post the Survivor Claim Bar Date  
10 Notice on SNAP’s website. *See* Marlow Decl., ¶ 4.

11 7. Bar Date Order ¶ 14(b). The Debtor caused the Publication Notice to be placed in  
12 the following publications, in English unless otherwise noted, on the dates set forth below. *See*  
13 Egloff Decl., ¶ 3 and Exs. 1-22.

<u>Publication</u>	<u>Date</u>
<i>The Wall Street Journal</i> (Western Distribution)	November 29, 2023
<i>USA Today</i> (Los Angeles and San Francisco regional edition)	December 1, 2023; January 19, 2024
<i>San Francisco Chronicle</i>	November 29, 2023 January 19, 2024
<i>Los Angeles Times</i>	November 29, 2023 January 19, 2024
<i>Alameda Times-Star</i>	November 30, 2023 January 19, 2024
<i>Contra Costa Times</i>	November 30, 2023 January 19, 2024
<i>San Mateo Daily Journal</i>	November 29, 2023 January 19, 2024
<i>Marin Independent Journal</i>	December 1, 2023 January 19, 2024
<i>The San Jose Mercury News</i>	November 30, 2023 January 19, 2024
<i>Santa Cruz Sentinel</i>	November 30, 2023 January 19, 2024
<i>The Sacramento Bee</i>	November 30, 2023 January 19, 2024
<i>Stockton Record</i>	November 30, 2023 January 19, 2024
<i>Modesto Bee</i>	November 30, 2023 January 19, 2024
<i>The Press Democrat</i>	November 29, 2023 January 19, 2024

	<u>Publication</u>	<u>Date</u>
1		
2	<i>The Napa Valley Register</i>	December 2, 2023 January 20, 2024
3	<i>The Ukiah Daily Journal</i>	December 1, 2023 January 19, 2024
4	<i>Lake County Record-Bee</i>	December 1, 2023 January 19, 2024
5	<i>Times-Standard</i>	December 1, 2023 January 19, 2024
6	<i>Del Norte Triplicate</i>	December 6, 2023 January 17, 2024
7	<i>La Opinion de la Bahia</i> (in Spanish)	December 3, 2023 January 21, 2024
8	<i>La Prensa Sonoma</i>	December 26, 2023 January 30, 2024
9	<i>El Leñador</i>	December 6, 2023 January 31, 2024
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11           8.       Bar Date Order ¶ 16. As further described in the Marlow Declaration, after entry of  
12 the Bar Date Order, the Debtor caused the preparation of (a) the Bar Date Announcement (as defined  
13 in the Marlow Declaration) in English and Spanish and (b) a communication (the “Archbishop  
14 Communication”) for Archbishop Salvatore J. Cordileone to send to all parish and mission priests  
15 within the geographic limits of the Archdiocese to publish the Bar Date Announcement. By the  
16 Archbishop Communication, the Debtor also requested that each parish and mission within the  
17 Archdiocese post a flyer announcing the Survivor Claim Bar Date in a prominent location, beginning  
18 no later than January 9, 2024, or six weeks before the Bar Date and Survivor Claim Bar Date (each  
19 as defined in the Bar Date Order). Additionally, the Debtor caused the Bar Date and Survivor Claim  
20 Bar Date, together with instructions to visit the Debtor’s website (www.sfarch.org/protecting-  
21 children) for more information on how to obtain and file proofs of claim against the Debtor, to be  
22 published on the Debtor’s and Archbishop Cordileone’s X (f/k/a Twitter) accounts and the Debtor’s  
23 Instagram and Facebook accounts, on certain dates leading up to the Bar Date and Survivor Bar  
24 Date, as more specifically set forth in the Marlow Declaration. See Marlow Decl., ¶¶ 5, 6, and Ex.  
25 A.

26           9.       Bar Date Order ¶ 15. The Debtor caused the Publication Notice to be posted in  
27 Chinese in Sing Tao Daily and on Chinese Radio at least one month prior to the Survivor Claim Bar  
28 Date. See Marlow Decl. ¶ 9 and Exs. C and D.

1           10.     In addition to the above efforts required by the Bar Date Order, as described below,  
2 the Debtor took the following additional steps to provide notice to potential claimants to file claims:

3           (a)     Additional significant measures relating to notifying the public about the  
4 bankruptcy case generally were also previously taken by the Debtor. On August 4,  
5 2023, Archbishop Cordileone issued a letter that was posted on the  
6 Archdiocesan website that the Debtor also sent to all Archdiocesan pastors and  
parish administrators providing notice of the intention to commence the Debtor's  
chapter 11 bankruptcy case due to the number of pending sexual abuse lawsuits.  
*See Marlow Decl., ¶ 10 and Ex. E.*

7           (b)     On August 21, 2023, or the petition date, Archbishop Cordileone issued a  
8 press release that the Debtor sent to more than 9000 news organizations,  
9 announcing the commencement of the Debtor's chapter 11 bankruptcy petition due  
the number of pending sexual abuse lawsuits. *See Marlow Decl., ¶ 11 and Ex. F.*

10           (c)     Following entry of the Bar Date Order and as set forth in greater detail in  
11 the Marlow Declaration, the Debtor caused the Publication Notice to be published  
in *Catholic San Francisco* magazine (circulation of approximately 47,000) and  
12 *Catolico* newspaper (circulation of approximately 4,000). *See Marlow Decl., ¶ 8*  
and Ex. B.

13           (d)     As set forth in greater detail in the Rodriguez Declaration, the Debtor also  
14 individually contacted, by telephone or email, for whom the Debtor does not have a  
mailing address but does have other contact information, to give them notice of the  
Survivor Claim Bar Date. *Rodriguez Decl., ¶¶ 6 and 7.*

15           11.     In addition to the above actions called for by the Bar Date Order, on August 21, 2023,  
16 the Debtor filed and served a Notice of Automatic Stay of Proceedings as a result of the Debtor's  
17 filing of a chapter 11 petition, in the pending coordinated proceeding in Alameda County Superior  
18 Court, JCCP 5108. This is the coordinated proceeding where all complaints against all northern  
19 California diocesan entities are being jointly administered, including over 1,500 lawsuits. The  
20 Notice was served on all plaintiff's counsel for all plaintiffs in JCCP 5108. *Kim Decl., ¶ 12.*

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12. As described above, and in the Kim, Marlow, Egloff, and Rodriguez Declarations and Exhibits, the Debtor believes it has more than substantially complied with the requirements of it as they relate to the Bar Date and Survivor Claim Bar Date and notice thereof set forth in the Bar Date Order. The Debtor also has undertaken additional steps to ensure that notice of the Bar Date and Survivor Claim Bar Date have properly been communicated to potential holders of claims, including Survivor Claims.

Dated: April 15, 2024

FELDERSTEIN FITZGERALD WILLOUGHBY  
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